

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
NORTHERN DIVISION

CHRISTOPHER MILLER

PLAINTIFF

v.

No. 3:19-cv-275-DPM

KEVIN MOLDER, Sheriff, Poinsett County
Detention Center; STEVE ROEX, Chief Deputy,
Poinsett County Detention Center; and
TRISH MARSHAL, Assistant Jail Administrator,
Poinsett County Detention Center

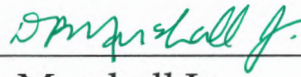
DEFENDANTS

ORDER

1. Unopposed recommendation, *Doc. 23*, adopted as modified. FED. R. CIV. P. 72(b) (1983 addition to advisory committee notes). Motion to dismiss, *Doc. 21*, granted. Miller's amended complaint will be dismissed without prejudice for failure to prosecute and failure to comply with the Court's Order. LOCAL RULE 5.5(c)(2) & FED. R. CIV. P. 41(b). In the circumstances, the Court need not determine whether dismissal under Rule 37(b) is an appropriate sanction. *Avionic Co. v. General Dynamics Corp.*, 957 F.2d 555, 558 (8th Cir. 1992). Motion to stay, *Doc. 24*, denied as moot.

2. An *in forma pauperis* appeal from this Order and accompanying Judgment would not be taken in good faith. 28 U.S.C. § 1915(a)(3).

So Ordered.



D.P. Marshall Jr.
United States District Judge

